Fact Sheet

#1

Common Terms in Corrections

Bail
Bail is the amount of money posted as a guarantee that the accused will appear in court on all the specified court dates.

Circuit Court
This term is used when Court is held away from the Law Court building in downtown Whitehorse.

Community Capacity
This term refers to the level of a community's ability or readiness to carry out functions on behalf of the community.

Community Justice
This is a framework for delivering community-based justice services and programs that is developed in response to locally identified needs and promotes opportunities for community involvement in the criminal justice system. The framework can apply a restorative justice approach to working with offenders, victims and communities. There are community justice projects in several Yukon communities and they are delivered through the Yukon First Nation or a non-profit society in the community. *(See Fact Sheet 4 on Justice Initiatives in Communities.)*

Conditional Discharge
A conditional discharge may be given where there is no minimum punishment and the maximum punishment that could be given is ten years or less. Offenders must obey certain conditions over a period of time. If this happens, the conditional discharge becomes an absolute discharge and does not count as a conviction.

Conditional Sentence
A conditional sentence is a jail sentence served in the community. Offenders must follow strict conditions and may serve all or part of the sentence in jail if they don't. A conditional sentence is only available if the jail sentence is less than two years. The court must be satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the basic purpose and principles of sentencing.

Fines
Fines are often ordered for *Criminal Code* offences. Unless the *Criminal Code* provides otherwise, the maximum fine for a summary conviction offence is $2,000. There is no maximum fine for indictable offences.

Intermittent Sentence
If offenders are sent to jail for 90 days or less, they may serve the sentence intermittently (with intervals). This means, for example, that offenders could serve the sentence on weekends in order to keep a job or continue school. Usually they must follow a probation order when they are not in jail until all of their time has been served.

Justice of the Peace (JP)
Justices of the Peace provide a range of legal services depending on their training and authorization, up to and including conducting sentencing hearings under territorial legislation and in summary conviction matters under federal legislation.

Probation

People placed on probation are allowed to remain in the community but must follow certain conditions for a set period of time. Probation can be ordered only with: a conditional discharge; a suspended sentence; a fine; an intermittent jail term; or two years less a day in jail. Probation orders contain conditions set out in the *Criminal Code*, such as keeping the peace and being of good behaviour, notifying the court or the probation officer in advance of any change of name or address, and appearing in court as required. Most probation orders also contain conditions set by the Judge, such as no alcohol, no contact with certain people, curfews, etc. *(See the Adult Probation Services section of the Corrections Consultation Discussion Document.)*

Parole

This is a term of supervision with specific conditions for offenders who receive sentences of greater than two years and therefore are the responsibility of the federal government.

Remand

This is the period of time (when an accused is kept in custody) between when a criminal charge is laid and when the matter is dealt with by the courts. Placement in remand could be either court ordered or by voluntary consent of the accused. Time spent in remand is generally given a two-for-one credit by the court against any sentence that may be given by the court.

Restitution

This is the restoring of goods or money to the victim of a crime by the offender.

Suspended Sentence

A suspended sentence may be given where there is no minimum punishment. People who receive a suspended sentence are convicted but the passing of sentence is suspended for a period of time to see if they will obey certain conditions. If they do, that is the end of the matter; if they don't, the suspension can be set aside and they can be brought back to court for sentencing.

Fact Sheet

Courts in the Yukon

Supreme Court

The Supreme Court is a superior court that hears civil and criminal matters in the Yukon Territory and appeals from decisions of the Territorial Court, Small Claims Court and various quasi-judicial boards. The Court is currently made up of two resident Judges, five Judges from the Northwest Territories and Nunavut, and 40 Deputy Judges appointed from across Canada. The Supreme Court sits regularly in Whitehorse and in some other communities as required.

Territorial Court

The Territorial Court deals with most adult criminal prosecutions under the Criminal Code and other federal statutes. The Territorial Court also hears all young offender matters and prosecutions under territorial laws. This court deals with first appearances, bail hearings, receiving pleas of guilty and not guilty, trials and sentencing, in both summary conviction and indictable matters, and conducts preliminary inquiries.

The Territorial Court has exclusive jurisdiction over child protection matters under the *Children's Act*. It has limited jurisdiction over family matters. The court does not deal with divorce, custody or adoption. The Territorial Court consists of three full-time Judges and approximately 13 Deputy Judges who are full-time or retired Judges from other jurisdictions. The court sits permanently in Whitehorse, but provides regular services to 14 other communities.

#2

- Courts
- Sentencing Reform
- Policing

Justice of the Peace Court

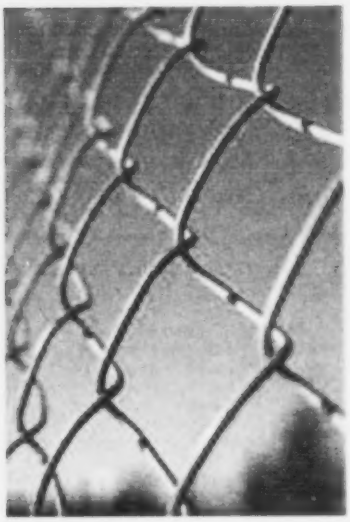
The Justice of the Peace Court is part of the Territorial Court and consists of one full-time judicial officer based in Whitehorse and 26 part-time Justices, most of whom are located in the communities. Justices of the Peace provide a range of services, depending on their training and level of authority. Justices of the Peace receive and swear informations, issue search warrants, deal with adjournment applications in court, receive pleas, and conduct sentencing hearings under territorial legislation and in summary conviction matters under federal legislation. They also hear matters in Youth Court and in child protection cases.

Small Claims Court

Every Judge of the Territorial Court is also a Judge of the Small Claims Court. The Small Claims Court hears civil cases in which the amount of money or the value of personal property being claimed is $5,000 or less.

Domestic Violence Treatment Option (DVTO) Program

The Yukon Domestic Violence Treatment Option (DVTO) Program is a court-based alternative that recognizes that offenders must take responsibility for their actions, while being supported with counseling, and recognizes that family violence is a learned behavior that can be changed. The DVTO program also provides initial and ongoing support to victims and their families.



Cases are fast-tracked and resource people such as Probation Officers, counselors from the Spousal Assault Program and Victim Services staff regularly attend court to provide assistance to the court participants. Sentencing usually occurs after the defendant has successfully completed the Spousal Assault Program and after other programming such as alcohol or drug counseling has been initiated or completed to the satisfaction of the court. The sentence imposed will normally include a further period of court supervision. The accused will be required to attend court on a monthly basis to report on their treatment progress.

The DVTO is not a form of diversion. It does result in a criminal record. The DVTO sentence is enforceable by the court in that breaches of the order can result in re-sentencing of the offender on the original charge and sentencing for the breach.

Sentencing Reform

Changes to the Criminal Code in 1996 led to sentencing reform to:

- Section 742 Conditional Sentences; and
- Section 718.2(e) Aboriginal Offender recognition.

The changes briefly described here deal with the areas of conditional sentences and aboriginal offenders.

1. Conditional Sentences

Conditional sentence orders were introduced on September 3, 1996 by the federal government as an amendment to the Criminal Code of Canada and later amended by the enactment of Bill C-51 on July 1, 1999.

A conditional sentence is a prison term that the offender is allowed to serve in the community, rather than in custody, according to the set conditions. If the conditions are not followed, the offender will be brought back to court and the Judge may order the offender to serve the rest of the sentence in prison. This form of sentence was created to help reduce the use of imprisonment in a way that is safe and consistent with principles of justice.

Four criteria must be met before this sentence can be imposed:

1. The sentence cannot exceed two years less one day.
2. If the offence carries a minimum penalty, the offender cannot receive a conditional sentence.
3. The Judge must be convinced that the presence of the offender in the community (rather than prison) does not pose a danger to the public.
4. The Judge must be convinced that a conditional sentence is consistent with the purpose and principles of sentencing that are contained in the Criminal Code.

The Judge still has the discretion to send the offender to prison.

Mandatory conditions include:

- keeping the peace and being of good behaviour;
- appearing in court when required to do so by the court;
- reporting to a supervisor as directed;
- remaining within the jurisdiction of the court unless written permission is obtained from the court or the supervisor;
- promptly notifying the supervisor of any changes in employment or occupation; and
- providing advance notice of any changes in name or address.

Optional conditions may include, but are not limited to:

- community service work;
- reside as directed;
- abide by a curfew;
- participation in rehabilitative or treatment programs; and
- prohibitions involving particular people, places, possessions or activities.

Offenders who do not comply with any of the conditions may be returned to court. The court may:

- take no action;
- change the optional conditions;
- suspend the order and direct that the offender serve a portion of the unexpired sentence in custody; or
- terminate the order and direct that the offender be committed to custody until the expiration of the sentence.

2. Aboriginal Offenders

On April 23, 1999, the Supreme Court of Canada released its decision in R v. Gladue (1999) S.C.R. 688. The decision provided the Supreme Court's first interpretation of section 718.2 (e) of the Criminal Code of Canada. The section, which was part of a comprehensive series of amendments made in 1996 to the sentencing law in Canada, says:

> 718.2 A court that imposes a sentence shall also take into consideration the following principles:
> (e) all available sanctions other than imprisonment that are reasonable in the circumstances should be considered for offenders, with particular attention to the circumstances of aboriginal offenders.

The Court stated that these amendments represented a change in the way Judges should approach the sentencing process. The Court noted that Canada, compared to other countries, showed an over-reliance on incarceration as a response to criminal activity. This was particularly the case with respect to aboriginal people.

The Court found that the purpose of this section was to:

- improve the serious problem of over-representation of aboriginal offenders in prison;
- encourage sentencing Judges to take a "restorative approach"; and
- consider the unique systemic factors that may have played a part in bringing the offender to court.

The Court's finding has meant that Judges are required to consider these points when passing sentence and to create a sentence that uses jail as a last resort, given that many people are best positioned to make positive changes when they are in the community or on probation as opposed to being in jail.

Policing in the Yukon

The Royal Canadian Mounted Police is the Canadian national police service and an agency of the Ministry of Public Safety and Emergency Preparedness Canada.

The RCMP is unique in the world since it is a national, federal, provincial and municipal policing body. The RCMP provides policing services under contract to the three territories, eight provinces (except Ontario and Quebec), and approximately 192 First Nation communities.

The Territorial Police Service Agreement is an agreement between the Yukon and federal governments that provides for the majority of RCMP policing services in the Yukon. This 20-year agreement was signed on April 1, 1992 and the term ends on March 31, 2012.

- In the Yukon there is one police officer for every 240 Yukoners. In 2004, the Territorial Police Service Agreement employed 109 regular RCMP members, 4 special constables, 16 civilian members and 33 public service employees.
- In the Yukon there are 13 RCMP detachments, located in Whitehorse, Beaver Creek, Carcross, Carmacks, Dawson City, Faro, Haines Junction, Mayo, Old Crow, Pelly Crossing, Ross River, Teslin and Watson Lake. The number of RCMP members in rural detachments varies. For example, there are three in Pelly and nine in Watson Lake.

Public Complaints

- Individuals may make a formal complaint directly with the RCMP or through the Commission for Public Complaints Against the RCMP.
- In 2003, 10 complaints were lodged with the Public Complaints Commission.
- In 2003, 19 complaints were lodged with "M" Division, which is the Yukon division of the RCMP.

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Fact Sheet

#3

Victim Services/ Family Violence Prevention Unit

The Victim Services/Family Violence Prevention Unit (VS/FVPU) is part of the Yukon Department of Justice, Community Justice and Public Safety Branch. Unit staff provide programming for offenders, victims and their families.

1. Victim Services Program

Participation in the Victim Services Program is voluntary. Not all clients are involved with the justice system. Victim Services includes two programs:

1. Victim Services and
2. the Women's Program.

Victim Services provides individual counseling, advocacy and court support to victims of recent intimate violence (stalking, family violence, sexual assault, child abuse). Clients in this program tend to be short term.

Victim Services works very closely with the RCMP, the judicial system, Family Violence Prevention Unit and Family and Children's Services. Staff offer services to the community during court circuits or as requested. In addition to Whitehorse-based staff, two part-time workers are based in Dawson City and Watson Lake.

Victim Services:

The focus of Victim Services programming is on:

- crisis intervention;
- one-on-one counselling;
- safety planning;
- help to obtaining protective orders such as Peace Bonds or those available under the *Family Violence Prevention Act*;
- education for victims, their families and the community on the dynamics of violence;
- support for people in the criminal court system;
- assisting with victim impact statements; and
- advocacy and referrals to other agencies.

Women's Program:

The Women's Program provides more long-term individual and group counselling to women who have experienced abuse within an intimate relationship.

The focus in the Women's Program is on:

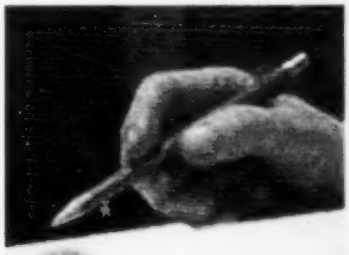
- developing new skills;
- increasing self-esteem;
- educating people on a variety of issues such as safety, effects of violence on children, anger, substance abuse, parenting skills, self-care, grief and assertiveness; and
- decreasing isolation.

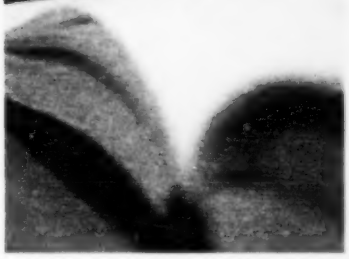
2. Family Violence Prevention Unit

The Family Violence Prevention Unit provides comprehensive treatment to individuals who are physically and sexually abusive. Participation in these programs is voluntary or court ordered through the justice system.

Spousal Abuse Program:

This program is delivered by the VS/FVPU. It is for men and women ordered by the court to take the program as part of their sentence, or who have decided that they want to take the program. Men and women are offered individual and group counseling to learn how to break the cycle of violence in their lives.





The program offers early intervention, information and therapeutic initiatives. The Spousal Abuse Program focuses on treatment for offenders of domestic violence. The group component combines psychological counselling with education regarding spousal abuse in a comprehensive treatment format.

The Spousal Abuse Program's goal of intervention is to address victim safety and to help individuals take responsibility for their abusive behaviors. Through counseling, participants look at issues of power and control within relationships and are held accountable for their behaviours.

Over the past several years, an increased number of women have been charged with domestic assault. It became more and more apparent that there was a need for a treatment program to address why women were choosing violence as a way of managing their behavior. As a result of this awareness, a treatment program was developed to look specifically at women's violence. In March of 2002, the Spousal Abuse Program expanded its treatment to include female offenders.

3. Sexual Offender Risk Management Program

This program, run by the VS/FVPU is a comprehensive approach to treating and monitoring sexual offenders in the Yukon. It combines cognitive behavioural treatment with monitoring and supervision.

The focus is on helping sexual offenders identify and reduce their risk factors that cause them to offend.

Assessment, individual and group treatment are all part of the program. Services are also provided to developmentally delayed clients and clients with Fetal Alcohol Spectrum Disorder (FASD). Long-term treatment coupled with external controls is the preferred treatment approach.

Risk management teams of formal and informal resources regularly review offender risk factors with the offender and help offenders make healthy choices. Community and victim safety are priorities.

The program has an outreach worker who is in contact with communities through Risk Management Teams. The outreach worker provides services for developmentally delayed sexual offenders.

Outreach Program:

Staff at VS/FPVU in Whitehorse and in the communities respond to requests for information, workshops and training. They provide school presentations, counseling, offender assessments and consultation and training for professionals in the field.

Domestic Violence Treatment Option (DVTO) Program:

The Yukon Domestic Violence Treatment Option (DVTO) Program is a court-based alternative that recognizes that offenders must take responsibility for their actions, while being supported with counseling, and that family violence is a learned behavior that can be changed. The DVTO program also provides initial and ongoing support to victims and their families.

Cases are fast tracked and resource people such as probation officers, counselors from the Spousal Assault Program and Victim Services staff attend court to provide assistance the court participants. Sentencing usually occurs after the defendant has successfully completed the Spousal Assault Program and after other programming such as alcohol or drug counseling has begun or completed to the satisfaction of the court. The sentence imposed usually includes a further period of court supervision. The accused will be required to attend court on a monthly basis to report on treatment progress.

The DVTO program is not a form of diversion. It may result in a criminal record. The DVTO program sentence is enforceable by the court in that breaches of the order can result in re-sentencing with the original charge and sentencing for the breach.

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Fact Sheet

Justice initiatives described in this fact sheet were developed in response to locally identified needs. Although these initiatives are not part of corrections services, they support corrections work at the community level.

1. Aboriginal Courtworker Program

The Aboriginal Courtworker Program helps First Nation citizens who are charged with a criminal offence. The program staff offer services so that people charged with an offence receive fair and equitable treatment before the law.

The program helps break down communication barriers between First Nation citizens and the criminal justice system. The program staff promotes awareness and appreciation of the values, customs, languages and the social-economic conditions of aboriginal people.

There are six aboriginal courtworker agencies in the Yukon:

1. Council of Yukon First Nations (Whitehorse, Kwanlin Dün, Teslin, Carcross, Haines Junction, Burwash Landing and Beaver Creek);
2. Liard First Nation – Watson Lake;
3. Northern Tutchone Council – Mayo, Pelly Crossing, Carmacks;
4. Tr'ondëk Hwëch'in First Nation – Dawson City;
5. Vuntut Gwitchin First Nation – Old Crow; and
6. Ross River Dena Council – Ross River.

2. Community Justice Projects

In Whitehorse, there are two community justice projects, which are delivered by Kwanlin Dün First Nation Justice and by Skookum Jim Friendship Centre. These initiatives are co-funded by Yukon and Canada.

In rural Yukon, there are seven community justice projects. They are delivered in Watson Lake, Haines Junction, Carcross, Teslin, Old Crow, Ross River and Dawson City. These projects are co-funded by the territorial and federal governments and are delivered through First Nations or non-profit societies.

#4

Justice Initiatives

These projects are community-based justice initiatives that provide the opportunity for communities to develop local solutions that may be more effective at resolving conflict in ways that promote healing, reconciliation and respect. Services are determined by community needs and capacity.

Community Justice Projects in rural Yukon:

a) Dena Keh Justice (delivered through the Liard First Nation)

- Dena Keh Justice (DKJ) is a community-based initiative that promotes community-based justice through facilitating diversion processes based on the Family Group Conferencing Model, submitting sentencing recommendations to the Territorial Court and reintegrating offenders into the community post incarceration.
- DKJ employs a full-time justice director, justice worker and justice trainee.
- These paid positions are supported by a volunteer Community Justice Council.
- DKJ works with adults, young offenders and youth under the age of 12 who are associated with the Kaska Nation.

b) Haines Junction Community Justice Committee (delivered through the Champagne and Aishihik First Nations)

- The Haines Junction Community Justice Committee (HJCJC) was one of the first community-based justice projects.
- HJCJC works closely with the community, justice system representatives and the judiciary to provide the following services: pre- and post-charge diversions, healing circles, circle sentencing/circle court, advice to sentencing, mediation, conferences and Justice of the Peace Court.
- HJCJC provides services to all adults and youth in Haines Junction.
- Both the Champagne and Aishihik First Nations and the Village of Haines Junction appoint three members to HJCJC.
- A paid justice coordinator, who works with the six committee members, manages the everyday functions of the Committee.

c) Southern Lakes Justice Committee (non-profit society)

- The Carcross/Tagish First Nation supports the work of the SLJC.
- The SLJC works with young and adult offenders who must apply to be considered for the SLJC justice processes.
- The SLJC offers pre- and post-charge diversions, circle sentencing, supervision, mediation, sentence advisory, community work and probation supervision assistance, and advice to the circuit court about sentencing and pre-release conditions.
- The SLJC has six to eight members, including the Yukon Justice probation officer, an RCMP member and the justice coordinator.

d) Peacemaker Diversion Project (delivered through Teslin Tlingit Council)

- The Peacemaker Diversion Project (Peacemaker) provides traditional alternatives to the mainstream justice system. Peacemaker holds Teslin Tlingit Council members accountable to their clan and to their community.
- Peacemaker offers pre- and post-charge diversion.
- Clan leaders participate in Territorial Circuit Court as an advisory panel.
- Peacemaker has a full time justice coordinator who acts as a community-based justice liaison, facilitates the Peacemaker process, and prepares the Peacemakers and clan leaders for Peacemaker hearings and the Territorial Circuit Court.
- Yukon Justice, Justice Canada, RCMP and Teslin Tlingit Council have a Pre- and Post-Charge Diversion Protocol that outlines the process for diverting individuals from the mainstream justice system to the Peacemaker Diversion Project, with the role of each party clearly defined.

e) Old Crow Community Justice Committee (delivered through Vuntut Gwitchin First Nation)

- OCJC deals mainly with liquor prohibition matters referred by the RCMP, Crown or courtworker.
- OCJC works with adult and youth but its case-load has been mainly adults with liquor prohibition tickets.

f) Ross River Justice Committee (delivered through Ross River Dena Council)

- RRJC provides a community-based justice support and at times offers alternatives to the mainstream justice system with diversion for youth and adults, advice to court sentences, local justice learning opportunities and support to offender and victim clients.
- RRJC is made up of a group of community members including elders.
- The justice coordinator is a half-time position but is combined with the native courtworker position to allow full-time work.

g) Dawson Community Group Conferencing Society (non-profit society)

- The Dawson Community Group Conferencing Society (DCGCS) is a community-based volunteer organization with approximately 35 community members.
- DCGCS has a part-time coordinator who arranges conferences, acts as liaison with referral agencies, ensures follow-up with victims and offenders on agreements and administers the project.
- DCGCS uses the Community Group Conferencing model for diversion, accepting referrals from the RCMP, the Crown, the school (as part of the school disciplinary system) and from the community.
- DCGCS keeps the community informed of their activities through media and public information meetings.

Community Justice Projects in Whitehorse

The Department of Health and Social Services (H&SS) is a partner in the Whitehorse community justice projects, which include the following initiatives.

a) Kwanlin Dün Community Social Justice Project

- The Kwanlin Dün Community Social Justice (KDFN Justice) provides various supports to offenders and victims in the mainstream justice system by using circle processes and other culturally appropriate forums.
- KDFN Justice works to maintain partnerships with the mainstream justice system and to provide culturally appropriate and effective community justice processes.
- KDFN Justice consults with the community about the priority of justice issues and promoting awareness of their work. They foster a positive relationship with the RCMP and have increased their work in the child welfare area.
- Judge's Court and Justice of the Peace sittings are scheduled in the community for circle sentencing and circle court as requested.
- KDFN Justice provides services to Kwanlin Dün First Nation members and works with adult and youth offenders.
- Yukon Justice and Yukon Health and Social Services contribute to KDFN Justice with matched federal Aboriginal Justice Strategy funding.

b) Tan Sakwathan – First Nation Youth Diversion Project

- Tan Sakwathan is a partnership between the Skookum Jim Friendship Centre and the Council of Yukon First Nations funded by the Aboriginal Justice Directorate, Yukon Department of Health and Social Services, and others.
- Tan Sakwathan provides services to First Nation youth between 12 and 17 years old who are in conflict with the law.
- The Tan Sakwathan requires youth and parent participation.
- Tan Sakwathan has three program components:

1. traditional laws and values (provides awareness and understanding about Yukon First Nation traditional laws and values and enables youth and their families to incorporate traditional laws and values into an action plan for positive living);
2. traditional parenting (encourages traditional parenting practices and values, focuses on improving the health and well-being of families and helps build a more supportive family unit); and
3. family communications (covers self esteem, boundaries and virtues, promotes healthy activities for youth and families, enables youth and their families to communicate in a positive and productive manner; a home skills worker provides follow-up to youth and families).

- Tan Sakwathan also uses the Family Group Conferencing model for diversion.

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Corrections in Yukon and the Corrections Consultation

A Discussion Document

Moving Forward Together
A Public Consultation on Corrections

105-05592/

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Appendix. Corrections Consultation Project Team 16

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Welcome to the Yukon Corrections Consultation

The Corrections Consultation is a Yukon-wide public consultation which started in November 2004 and will conclude in the spring of 2006. This consultation is co-chaired by the Government of Yukon and the Council of Yukon First Nations. A Project Team is conducting the consultation and its work is overseen by an Executive Committee.

The Project Team will ask questions that focus on how to improve correctional programs and services in the Yukon. This information will be used as a Corrections Action Plan is developed to guide the delivery of correctional programs and services in communities and a new correctional facility.

This is an opportunity for Yukoners to voice their views on correctional issues and programs, and to share their concerns and their hopes for the future direction of corrections programs and services in the Yukon.

Yukoners are invited to be a part of this consultation and to contact Project Team members at any time during the consultation.

E-mail:	corrections.consultation@gov.yk.ca
Phone:	(867) 667-3206 (with voice mail)
Toll-free:	1-800-661-0408, extension 3206 (Yukon only)
Fax:	(867) 393-6393
Web site:	www.correctionsconsultation.yk.ca
Address:	Corrections Consultation Office 206C Lowe Street, Whitehorse, Yukon Y1A 1W6

Executive Committee

The Executive Committee oversees the work of the Project Team. The committee includes John Edzerza, Minister of Justice, Government of Yukon; Eric Morris, the interim Grand Chief, Council of Yukon First Nations; Jason Shorty, Councillor, Kwanlin Dün First Nation; Darryl Stewart, Councillor, Liard First Nation; and Lloyd Caesar, Representative, Ross River Dena Council. (The former Grand Chief of CYFN, Ed Schultz, was involved in helping establish the Corrections Consultation and was a member of the Executive Committee until he resigned as Grand Chief.)

Project Team (see Appendix, page 16)

The Project Team is co-chaired by the Government of Yukon and the Council of Yukon First Nations (CYFN). The team includes two co-chairs, two policy analysts and a special advisor on the Corrections Consultation to the Yukon Minister of Justice. Co-chairs are Barb Joe (representing CYFN) and Sharon Hickey (representing the Government of Yukon). Policy analysts are Brenda Jackson (representing CYFN) and Joanne Lewis (representing the Government of Yukon). Dana Gibbons is Special Advisor to the Minister of Justice.

Advisory Committees

Advisory Committees may be established to provide the Project Team with perspectives on specific issues raised during the public consultation where their expertise is needed.

About the Corrections Consultation

The Corrections Consultation is a 15-month public consultation on the future direction of correctional programs and services in the Yukon. The information gathered during the consultation will help shape a Corrections Action Plan for delivering correctional programs and services.

A three-phase consultation

The Corrections Consultation will be conducted in three phases and will result in a Corrections Action Plan that will be ready in spring of 2006. The phases and key activities in each phase are described below.

Phase One: Preparation
November 2004 – December 2004

Phase Two: Consultation to Corrections Summit
February 2005 – October 2005

- pre-consultation information sessions with Mayors and Councils and Chiefs and Councils in each community;
- Corrections Consultation Discussion Paper;
- Fact Sheets;
- Round 1 consultation meetings (in all communities);
- Interim report;
- Round 2 consultation meetings (in all communities);
- Report and Draft Action Plan; and
- Corrections Summit (hosted by Corrections Consultation Executive Committee).

The Summit is a forum for representatives from communities, governments and non-government organizations to review the Corrections Consultation Report and Draft Action Plan, which will be reviewed by the Executive Committee before it is finalized.

Phase Three: Final Report and Minister and Chiefs' Roundtable on Corrections
November/December 2005 – February 2006

The draft Corrections Action Plan will be discussed and revised at the Summit and will be reviewed at the Minister and Chiefs' Roundtable on Corrections and then finalized.

About this discussion paper

This paper is divided into five parts:

Part 1. Introduction
Part 2. Participation
Part 3. Background and Context
Part 4. Questions to Consider
Part 5. Corrections Consultation Discussion Topics
  Topic 1: Adult Probation Services
  Topic 2: Whitehorse Correctional Centre
  Topic 3: Reintegration

An appendix to this paper *(page 16)* provides information about the Project Team members.

Part 1. Introduction

Many Yukoners are directly or indirectly affected by correctional programs and services and that is why they are being asked how correctional programs and services in the Yukon can be improved. During the consultation, Yukoners are being asked for their views on:

- challenges facing offenders, victims and communities;
- opportunities for meeting those challenges; and
- suggestions for improving correctional programs and services.

Scope of this consultation

For the purpose of this consultation the term "corrections" covers four topic areas:

1. Adult Probation Services (community-based services);
2. Whitehorse Correctional Centre (institutional-based services);
3. Reintegration into the community; and
4. Victim Services/Family Violence Prevention Unit (community-based services).

This Corrections Consultation Discussion Paper provides an overview of the first three topics. See Fact Sheet 3 (Victim Services/Family Violence Prevention Unit) for details on programs and services in this area.

Corrections Consultation information package

The focus of this discussion paper is Adult Probation Services, the Whitehorse Correctional Centre and Reintegration. The paper also includes questions for consideration.

The four fact sheets in the consultation package cover Common Terms (Fact Sheet 1), Courts, Sentencing Reform, Policing (Fact Sheet 2), Victim Services/ Family Violence Prevention Unit (Fact Sheet 3) and Justice Initiatives (Fact Sheet 4).

Corrections Consultation purpose

There are three goals to the consultation process:

1. to consult with Yukoners about the challenges and opportunities for delivering correctional programs and services that meet the changing needs of offenders, victims and communities;
2. to identify problems and possibilities, by focusing on:
    - the issues facing offenders, victims, families and communities;
    - the challenges and opportunities in correctional programs and services;
    - the options for delivering programs and services; and
    - the roles and capacity of communities and the correctional system; and
3. to develop a Corrections Action Plan for delivering programs and services to meet the changing needs of offenders, victims, families and communities.

The desired outcomes of the consultation are:

1. a Corrections Action Plan for delivering programs and services to meet the changing needs of offenders, victims, families and communities;
2. effective and practical community- and facility-based programs and services that meet the needs, capacities and aspirations of offenders, victims and communities; and
3. a new correctional facility for the delivery of facility-based programs.

Part 2. Participation

This is a public consultation and individuals and groups are invited to participate. The consultation process started in February 2005, with pre-consultation information sessions with Chiefs and First Nation Councils and Mayors and Municipal Councils. These meetings are to be followed by two rounds of public meetings, meetings with First Nations and meetings with inter-agency groups, non-government organizations, groups and individuals. Each community will be visited twice during the consultation process. There will also be opportunities to provide written submissions to the Project Team by letter, fax and e-mail.

Group meetings

Organizations with a known interest in corrections will be contacted about meeting with the Corrections Consultation Project Team. Any organization or individual may request a meeting with the Project Team.

Written submissions

Written submissions from organizations, groups and individuals are welcomed. Information on when and where to provide a written submission will be posted on the web site and advertised through radio, newspapers and posters in government, First Nation and community offices and gathering places.

Public meetings

Public meetings will be advertised through radio, newspapers, posters in government, First Nation, community and other offices; and will be posted on the Corrections Consultation web site.

Information is also available through the Corrections Consultation office:

Telephone: (867) 667-3206
(with voice mail)

Toll-free: 1-800-661-0408,
extension 3206
(Yukon only)

Fax: (867) 393-6393

E-mail: corrections.consultation@gov.yk.ca

Web site: www.correctionsconsultation.yk.ca

Address: 206C Lowe Street,
Whitehorse, Yukon, Y1A 1W6

Part 3. Background and Context

Community and Correctional Services

Community and Correctional Services (CCS) is a part of the Department of Justice in the Government of Yukon. CCS provides programs and services for offenders and victims. This work is carried out in communities and at the Whitehorse Correctional Centre. The primary goal of CCS is to safely integrate offenders into communities as law-abiding citizens.

Programs and services

The CCS consists of three areas that provide programs and services for offenders and victims:

- Victim Services/Family Violence Prevention Unit;
- Adult Probation Services; and
- Whitehorse Correctional Centre.

Victim Services/Family Violence Prevention Unit

This unit provides support services to victims of crime and family violence, and rehabilitative programs to offenders and abusive spouses. (For details, see Fact Sheet 3 on Victim Services/ Family Violence Prevention Unit.)

Adult Probation Services

Probation Officers supervise and manage offenders on probation or other forms of supervised community release in the interest of public safety. (For details, see the Adult Probation Services section on page 9.)

Whitehorse Correctional Centre

This is a minimum- to maximum-security facility for adult men and women with sentences that do not exceed two years less a day.

Legislation

The legislation governing corrections includes:

- the Canadian Constitution;
- the federal Criminal Code;
- the Yukon *Corrections Act*;
- Yukon First Nations Umbrella Final Agreement;
- Yukon First Nations Final and Self-government Agreements;
- Teslin Tlingit Council Administration of Justice Agreement;
- international agreements and conventions; and
- other legislation.

National trends

National trends in corrections include:

- focusing on offender risk/needs assessment and risk management;
- paying attention to the needs of victims;
- creating alternatives to incarceration;
- providing adequate sentences for mentally ill offenders;
- increasing community awareness and involvement;
- reducing the costs of corrections;
- focusing on human resources;
- expanding aboriginal corrections;
- increasing the roles of technology;
- community-living arrangements; and
- community-based programming, with an emphasis on training, education and addictions.

Sentencing

The purpose of sentencing is to contribute to respect for the law and the maintenance of a just, peaceful and safe society by imposing just sanctions to:

- denounce unlawful conduct;
- deter the offender and others from committing offenses;
- separate offenders from society, where necessary;
- help rehabilitate offenders;
- provide reparations for harm done to victims or to the community; or
- promote a sense of responsibility in offenders and acknowledgement of the harm done to victims and the community.

The court may consider several sentencing options:

- absolute discharge;
- conditional discharge;
- fine;
- suspended sentence;
- probation;
- intermittent sentence;
- conditional sentence; or
- imprisonment.

For information about sentencing reform initiatives in the 1990s that have affected sentencing, see Fact Sheet 2 (Courts, Sentencing Reform, Policing).

Part 4. Questions to Consider

In round one of the community consultation, Yukoners will be asked to consider the following questions that deal with challenges, programs and services and a vision for corrections in the Yukon.

The Project Team will use the responses to these questions – and other related issues that may be raised – as the basis of the interim report which will be prepared and released following round one of the consultation.

In round two of the community consultation, Yukoners will be asked to share their vision for the correctional system in the Yukon and for suggestions about what should be included in a Draft Action Plan on Corrections. It is this Draft Action Plan on Corrections that will be discussed at the Corrections Summit later in the year.

This paper and the related fact sheets provide basic information that may be useful background when considering the following questions. These questions are intended to generate discussion about how programs and services might be improved.

1. Questions about challenges

What are the major challenges for offenders, victims, families and communities:

- when an offender is on probation?
- when an offender is at Whitehorse Correctional Centre (WCC)?
- when an offender is first released into the community?
- during the first year that an offender is released into the community?

2. Questions about programs and services

a) Which programs and services are working well for offenders, victims, families and communities:

- when an offender is on probation?
- when an offender is at Whitehorse Correctional Centre (WCC)?
- when an offender is first released into the community?
- during the first year that an offender is released into the community?

b) Which programs and services are not working well for offenders, victims, families and communities:

- when an offender is on probation?
- when an offender is at WCC?
- when an offender is first released into the community?
- during the first year that an offender is released into the community?

c) What could communities, governments, non-government organizations or others do to help meet the needs of offenders, victims, families and communities:

- when an offender is on probation?
- when an offender is at WCC?
- when an offender is first released into the community?
- during the first year that an offender is released into the community?

3. Questions about a vision of the correction system in the Yukon

a) What should the Yukon correction system look like ten years from now?

b) What needs to happen to make that vision a reality?

Part 5. Discussion Topics

Topic 1: Adult Probation Services

What are Community Sentences and Release Orders?

Community Sentences and Release Orders allow offenders to remain in the community subject to conditions. These sentences and orders include:

- probation;
- bail supervision;
- conditional sentences;
- peace bonds;
- statutory release;
- full parole;
- temporary absence (Yukon Territory); and
- day parole.

The three most frequently used types of community sentences and release orders are probation, bail supervision and conditional sentences.

Probation: Offenders placed on probation are allowed to remain in the community but must follow certain conditions for a set period of time. Probation can only be ordered with: a conditional discharge; a suspended sentence; a fine; an intermittent jail term; or a custodial sentence that does not exceed two years less a day.

Bail: Bail supervision involves ensuring adherence to conditions of the bail.

Conditional Sentence: Conditional sentence is a jail sentence served in the community. Offenders must follow strict conditions and serve all or part of the sentence in jail if they don't. A conditional sentence is only available if the custodial sentence does not exceed two years less a day. The court must be satisfied that serving the sentence in the community would not endanger the safety of the community and would be consistent with the basic purpose and principles of sentencing.

What is Community Supervision?

Community supervision authorizes an offender to remain at large in the community subject to conditions prescribed in a court order by a Judge or Justice of the Peace.

While on a court order an offender is supervised by a Probation Officer, who helps the offender stay out of trouble and comply with the Probation Order requirements. Community supervision is an opportunity for an offender to prove to the court that he or she can obey the laws of the community and thereby avoid going to jail.

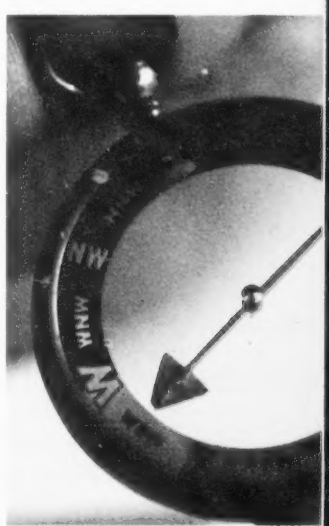
Adult Probation Services focuses on victim safety. This means that concern for victims and communities is extremely important when services are delivered to offenders on community supervision.

Adult Probation Services believes that everything possible should be done to make sure that victims are not re-victimized.

Conditions of Community Supervision

Probation does not require that an offender go to jail, but all Probation Orders require that the accused, as a condition of probation, shall:

- keep the peace and be of good behaviour;
- appear before the court whenever the court wants;
- let the Probation Officer know of any change of name or address, and employment or occupation; or
- meet other conditions required by the court.



The court may also specify other conditions, such as:

- not drinking alcohol or using nonprescription drugs;
- not possessing firearms;
- remaining in the same community or jurisdiction;
- reporting to and being under the supervision of a Probation Officer, or
- any other conditions that the court may impose.

The Criminal Code of Canada enables the court to require a probationer to "comply with such other conditions as the court considers reasonable for securing the good conduct of the accused and for preventing a repetition of the same offence or the commission of other offences." Conditions of probation must:

- detail precisely what conduct is or acts are prohibited, avoiding ambiguous, uncertain or contradictory wording;
- be enforceable; and
- be relevant to the offence and rehabilitation, as determined by case law.

Probation Order

A Probation Order is a court order issued by a Judge or Justice of the Peace. A Probation Order prohibits any illegal behaviour and may have special conditions to try to help the offender (e.g. a curfew of remaining at home between 7 p.m. and 7 a.m., abstain from drugs and alcohol, etc.). A Probation Order is designed to help prevent the causes or circumstances that led to the offence in the first place from occurring again.

Probation Officers

Probation Officers only have authority to supervise a person whose order has a reporting condition. The frequency and form of reporting is outlined by the court or it may be determined by the Probation Officer.

If the reporting condition is worded "report as directed" without outlining a reporting schedule, a Probation Officer will complete a comprehensive assessment to determine the appropriate intervention and frequency of reporting based on an analysis of the offender's risk to re-offend and needs in areas linked with criminal conduct. Factors that are considered in determining the type of intervention include:

- legal requirements and conditions of probation;
- risk/needs, motivation and ability to benefit from rehabilitative services; and
- availability of programs and services.

By supervising people on probation, Yukon Justice Adult Probation Services ensures that conditions placed on offenders are met.

Adult Probation Services has 8.5 Probation Officers. There are seven Probation Officers in Whitehorse, one in Watson Lake and a part-time Probation Officer in Dawson City. Of these, 2.5 work with the Domestic Violence Treatment Option (see Victim Services/Family Violence Prevention Unit for details). Summer students are hired from time to time.

Most Probation Officers are based in Whitehorse but they travel to communities to supervise offenders and meet with other people who are working with offenders on probation.

Probation Officers work with the RCMP, the WCC, Victim Services/Family Violence Prevention Unit, Community Justice Committees and regional social services workers in Yukon Health and Social Services. They also work with specialized courts such as the Domestic Violence Treatment Option Court and the Peacemaker Court (Teslin).

Probation Officers are considered Officers of the Court and Peace Officers who provide a range of services, including:

- enforcing the Probation Order;
- supervising offenders;
- supervising the community service assigned to offenders under the Fine Option Program;
- preparing case plans and case conferences to determine how best to work with offenders;
- supervising adult diversion;
- alcohol and drug counseling;
- first response counseling and supportive listening;
- referrals to counseling services when more intensive support is required;
- making referrals to internal or community-based educational, counseling or treatment programs or services;
- comprehensive assessments of offenders (e.g. risk assessment);

- preparing reports for the courts (Territorial Court, Supreme Court, Domestic Violence Treatment Court and Peacemaker Court) and attending court to deliver pre-sentence reports;
- preparing reports for other correctional decision-makers;
- helping to find basic services for offenders (e.g. housing, assistance with resume writing, etc.); and
- being an advocate for offenders.

Yukon Adult Probation Services also provides federal parole supervision on contract with the federal government. A breach of those conditions can result in the offender being returned to a correctional centre.

When is probation used?

Before deciding that probation is appropriate, a Judge considers all important circumstances, including a Probation Officer's Pre-Sentence Report. Often Probation Orders are made for offenders who will, in the Judge's opinion, benefit from some type of supervision in the community and do not require incarceration to manage their risk to re-offend.

Offenders with a conditional discharge, suspended sentence, or intermittent sentence must be placed on probation.

Offenders who have received a fine, incarceration or conditional sentence may be placed on probation.

How long does probation last?

A Probation Order comes into force on the day the order is made or on the day the offender is released from jail if both a jail sentence and probation were given.

A Probation Order can be made along with a jail term as long as the jail term does not exceed two years less a day. The probation will take effect after the jail term has been served. Also, in cases of intermittent sentences (i.e. some days in jail and some out) the offender must be placed on probation for the period that he or she is not in jail. Probation cannot exceed a period of three years, but can be any length of time up to three years.

Can a Probation Order be changed?

A Probation Order can be changed during the probation period, if the Probation Officer, the Crown prosecutor, or the offender who is on probation applies to the court.

The probation period can be shortened, the conditions can be amended or, the Probation Order can be terminated. The court may not make a Probation Order more onerous without the permission of the offender and the court must be provided with good reasons for making changes to it.

What happens if a person on probation breaches his or her Probation Order?

A Probation Order can restrict an offender's freedom. Offenders who do not comply with conditions of the order may be charged with breach of probation. A breach is a criminal offence and is a very serious matter. Offenders are brought before the court by a police officer or a Probation Officer. This may lead to a fine or a jail term or the passing sentence may be suspended and the offender sent to jail and additional sentence given.

What happens if a person commits a crime while on probation?

This is also considered a breach of probation. If the offender is convicted, he or she may receive an additional sentence.

Topic 2: Whitehorse Correctional Centre

The Whitehorse Correctional Centre (WCC) is a part of the Community and Correctional Services Branch of the Yukon Department of Justice. The Centre is a minimum- to maximum-level security facility for adult men and women whose sentences do not exceed two years less a day.

The WCC was built in the mid 1960s. The facility has some cells but most inmates are housed in dormitories.

Objectives of the Whitehorse Correctional Centre

- to provide a safe and secure environment for staff and inmates;
- to provide supervision of inmates at a level which is consistent with human dignity but assures all necessary protection to the community, staff and inmates;
- to provide an environment which will minimize the detrimental effects of confinement;
- to encourage inmates to take responsibility for their actions;
- to provide inmates with access to educational, work, recreational and treatment programs in order to reduce the risk of recidivism, reduce the likelihood of institutional behavioural and management problems, and increase public safety; and
- to assist inmates in developing and maintaining healthy, supportive family and community relationships.

Why inmates are housed at Whitehorse Correctional Centre

Inmates are housed at WCC for different reasons, such as:

- they have received a territorial custodial sentence that does not exceed two years less a day;
- they are on remand while waiting the disposition of charges;
- they are under an order of the Yukon Review Board, because they have been found not criminally responsible; *
- they are on an immigration hold; and
- they are in violation of their probation, parole or conditional sentence.

** In addition to housing inmates, WCC is also designated as a secure psychiatric unit for mentally disordered accused persons.*

Population groups in the Whitehorse Correctional Centre

The WCC has a number of correctional "populations" (e.g. men; women; people on remand; offenders sentenced to WCC; inmates with cognitive impairments, etc.). These populations have different needs, problems, experiences, etc. Most of the inmates are male but female inmates are also housed at the facility. Most inmates are of First Nation ancestry.

Most inmates at WCC are classified as "medium security" to "maximum security". There are fewer "minimum security" inmates at the WCC. Generally, those who could be considered minimum security serve their time in the community. Since sentencing reform initiatives in the 1990s, the courts have tended to sentence lower-risk offenders to serve their sentences in the community, with jail as a last resort. *(See Fact Sheet 2: Courts, Sentencing Reform, Policing.)*

The inmate population consists of two groups: the "remand" population and the "sentenced" population.

The remand population consists of those in WCC who are awaiting trial. At times, this group has reached around 60 per cent of the total inmate population. This percentage is consistent with national trends. When an inmate is on remand, it means he or she has decided to go to WCC while awaiting trial or has been ordered to WCC until trial. If an inmate on remand is tried and sentenced to a period of incarceration at WCC, the time already served on remand is deducted from his or her sentence at a two-for-one credit for each day served. This double credit for remand is standard across the country.

General observations about the inmate population:

- offenders are arriving at WCC with increased anger management, impulse control and violence issues;
- a higher than average percentage of inmates is believed to be cognitively impaired (programs must be delivered differently to this group); and
- most offenders are believed to have a substance abuse problem.

Whitehorse Correctional Centre staffing

The WCC operates 24 hours a day, seven days a week and must maintain minimum staffing levels at all times. To do this, the facility requires full time and auxiliary staff. There are approximately 50 full time employees and approximately 20 on-call staff. About half the staff is correctional officers. There are also case managers, programming staff, kitchen and recreational staff, administrative staff, etc. About ten percent of the staff are aboriginal, although not necessarily Yukon First Nation people.

Programs offered at the Whitehorse Correctional Centre

The WCC offers several program activities for inmates. Inmates have the legal right to choose not to participate in any program. Offenders serving their sentence in the community or who are on a suspended sentence or probation order can be ordered to attend programs, or face being sent to WCC for not doing so. The same incentive to take a program does not apply for inmates who are already incarcerated.

Programs are offered at the WCC and in the community through the Adult Probation Services and the Victim Services/Family Violence Prevention Unit. Inmates can be transported to take community-based programs, if those programs are not available at WCC and if the inmate is a suitable candidate and meets security standards for a temporary absence to attend a program.

The types of programs offered at WCC include:

- GED preparation, instruction and testing;
- vocational training programs;
- cognitive behavioral programming and support programs (to deal with such issues as substance abuse, violent behaviour, sexual offending, anger, etc.);
- spirituality programs;
- health and wellness programs; and
- recreation programs.

Inmates have diverse backgrounds, interests, needs, abilities and skills. The inmate population is a changing one and the type and frequency of the programs offered depend on several factors:

- availability of resources to provide the program (e.g. funding, instructors);
- program entry criteria and inmate eligibility for the program;
- inmate willingness to take the program (inmates are not required to and cannot be forced to take programs);
- enough inmates to offer the program (most programs are designed for groups and a minimum number of participants is required to run the program); and
- program timing (inmates may start and complete their sentence in between the time that a program is offered, and therefore may miss an opportunity to take the program – the length of a sentence is not always conducive to completing a program).

Given these factors, the number and nature of programs offered varies from year to year. Tables 1 and 2 *(page 14)* show the range of programs offered at various times in 2003, 2004 and those offered or planned so far in 2005.

Table 1. Training programs offered at WCC

Program	2005	2004	2003
Arts and Crafts:	•	•	•
Mitten/Boot (Mukluk/Canvas) Making			•
Computer Fundamentals		•	
First Aid and Level C CPR		•	•
Flagging and Traffic Control		•	
Food Safe 1		•	
GPS – Mapping and Compass		•	
GED Preparation Instruction and Testing	•	•	•
Hydrogen Sulphide (H_2S – Sour Gas) Course		•	•
Initial Attack Fire Fighting	•	•	
Log Building	•		
Occupational First Aid	•		
Small Engine Repair	•	•	
Transportation of Dangerous Goods	•	•	•
Welding	•	•	
Workplace Hazardous Materials Information System (WHMIS)	•	•	•
Wrangler/Packer Course (Heart Bar Ranch)	•		
Resume-Writing Workshop			•
Traditional Parenting Program		•	•
Writer-in-Residence			•
WCC On-site Work Program (e.g. kitchen)	•	•	•

Table 2. Behavioural, emotional, health, spiritual and wellness programs and services offered at WCC

Program	2005	2004	2003
Applied Suicide Intervention Skills Training		•	•
Anger and Emotions Management	•	•	
Commitment to Change	•	•	•
Chaplaincy Program	•	•	•
Committee on Abuse in Residential Schools Society (CAIRS) Talking Circles			•
Coffee House – Musicians	•		
CYFN Pre-Release and Transition Program	•	•	•
Elder Visits	•		
Hospice counseling one on one	•	•	•
Insight Meditation	•		
Living Without Violence Program	•		
Myers Briggs (Personality Profiling)	•	•	•
Recreation Programs	•	•	•
Residential School Support Program (offered on request)	•	•	•
Substance Abuse Management Program	•	•	•
Sexual Offender Risk Management Program	•	•	•
Support Counseling (group therapy or one to one)	•	•	•
Smoking Cessation		•	
Solstice Celebrations (CYFN)	•	•	•
Spiritual Growth	•	•	
Traditional Medicine		•	
Violent Offender Treatment Program (usually delivered in the community as it is difficult to deliver at WCC)	•	•	•
Volunteer Support Programs: Alcoholics Anonymous; Narcotics Anonymous	•	•	•

Challenges in delivering effective programs

Many of the inmates arrive with issues and experiences that present special needs and challenges. Some of the key challenges include:

- offenders with unresolved trauma, anger and other emotional issues;
- offenders with cognitive impairment present challenges for delivering programs and services;
- the general level of health of offenders is poorer than that of the general population;
- a high percentage of offenders are long-term Yukon residents, who will not leave the Yukon once their time is served and they may require ongoing supports when they are released into the general community;
- mentally ill patients are sometimes housed at WCC because WCC is also designated as a secure psychiatric unit for mentally disordered accused persons (concern has been expressed with using the facility for this purpose, because people who have mental disorders require care that is not easily provided at WCC and have specific program and support needs which vary from those required by other inmate populations);
- the length of sentence and the timing of programs (i.e. when a particular program is offered in the year) which affects an inmate's opportunity to participate in and complete a program; and
- the fact that inmates cannot be forced to participate in a program.

Topic 3: Reintegration

The Adult Resource Centre, the Pre-Release and Transition Program, and Community Justice projects are three of the initiatives to help offenders with transition and reintegration into the community.

Adult Resource Centre

The Adult Resource Centre (ARC), operated by the Salvation Army, is a community-based halfway house located in Whitehorse, where offenders can live while serving some or all of their sentence, or while awaiting trial. The ARC provides supervision and support 24 hours a day seven days a week. The ARC works only with offenders whose risk is assessed as being manageable in the community.

Since 1987 the Government of Yukon's Department of Justice has used the Adult Resource Centre as a secure, cost-effective alternative to incarceration for suitable low-risk offenders. The ARC provides supervision and programming for:

- minimum security individuals who are working, going to school or attending programming while on Temporary Absences from Whitehorse Correctional Centre;
- probationers who need a structured place to stay;
- bailees awaiting trial; and
- federal parolees.

Pre-release and Transition Program

This program is for First Nation citizens at WCC. The CYFN Transition Worker provides pre-release planning and an aftercare plan for individuals to address such issues as social assistance, housing, education, employment, support in the community, etc.

Community Justice Projects

Community justice is a framework that makes it possible to deliver community-based justice projects that have been developed in response to locally identified needs and that promote opportunities for community involvement in the criminal justice system. The framework can use a restorative justice philosophy.

Restorative justice is a philosophy and a way of working with offenders, victims and communities that is focused on healing relationships and repairing the damage caused by crime. Restorative justice is deeply grounded in values such as respect, inclusion, healing and compassion and it promotes community accountability and responsibility.

A number of projects are delivered within the community justice framework. These projects are delivered through First Nations and non-profit societies and they work with adults (primarily) involved at various points in the justice system. The services provided by these projects vary, depending on community needs and capacity. *(See Fact Sheet 4 on Justice Initiatives for a summary of community justice projects.)*

Appendix. Corrections Consultation Project Team

Sharon Hickey, Co-Chair (Government of Yukon)
Sharon has been the Director of Community and Correctional Services since 1998. She served as the Director of Health Services for the Pacific Region of Correctional Services of Canada (CSC) responsible for general health and mental health services for inmates. She has worked in Vancouver Parole and run a half-way house in Abbottsford, British Columbia.

Sharon has a Bachelor of Science degree in Nursing and a Masters in Health Administration. She is a member of the Board of the Canadian Criminal Justice Association and is the national liaison for Health Services to the Federal/Provincial/Territorial Heads of Corrections group.

Barb Joe, Co-Chair (Council of Yukon First Nations)
Barb is a member of the Champagne and Aishihik First Nations. She is of the Crow Clan. Born and raised in the Yukon, Barb graduated from F.H. Collins Secondary. Barb is a graduate of Mount Royal College in Calgary, University of Alaska Fairbanks and the University of Victoria Law School.

Barb works with the Champagne and Aishihik First Nations (CAFN) on the administration of justice negotiations pursuant to Section 13.6.0 of the CAFN Self-government Agreement and the CAFN's Administrative Appeals Tribunal. Barb is a board member with the Yukon Development Corporation and the Dakwakada Development Corporation.

Brenda Jackson, Policy Analyst (Council of Yukon First Nations)
Brenda is a Nacho Nyak Dun citizen and a member of the Wolf Clan. She has spent 11 years working in the criminal justice field; five of those years managing the justice programs at CYFN. Brenda graduated from F.H. Collins. She is a volunteer with the Canadian Red Cross and in her second term appointment to the Champagne and Aishihik Administrative Appeals Tribunal. Brenda enjoys curling, baseball, camping and quality time with family at fish camp.

Joanne Lewis, Policy Analyst (Government of Yukon)
Joanne graduated from the University of Victoria, in British Columbia, where she majored in Political Science. She established a consulting practice in Whitehorse in 1986, providing services primarily in the public and non-profit sectors. She has also worked for the Yukon government over the years, most recently as a policy analyst with the Yukon Department of Justice. Joanne attended high school in Whitehorse, where she graduated from F.H. Collins.

Dana Gibbons (Special Advisor to Minister of Justice, Corrections Consultation)
Dana is a consultant with an extensive background in Justice. He retired in 2000 after a 26-year career with the RCMP that included postings in northern and aboriginal communities. In his final year he was Acting Director of the Yukon Crime Prevention and Policing Branch. Dana attended the University of Manitoba and served with the RCMP Commercial Crime Branch.

Photography: archbould.com

The Corrections Consultation is a Yukon-wide public process that is co-chaired by the Yukon Government and the Council of Yukon First Nations. All Yukoners are invited to participate. The consultation is being conducted in three phases and will conclude in February 2006. The purpose of the consultation is to develop a Corrections Action Plan for delivering corrections programs and services – in the correctional centre and the communities – that meet the needs of offenders, victims, families and communities.

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Yukon
Justice

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